

Rùnaire a' Chaibineit airson Cùisean Dùthchail, Biadh agus an Àrainneachd
Cabinet Secretary for Rural Affairs, Food and the Environment

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In 2014 Scotland Welcomes the World



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Rural Development (Scotland) Regulations 2015 SSI 2015/192 and The Rural Payments (Appeals) (Scotland) Regulations 2015: SSI 2015/194

Thank you for your letter dated 4 June in relation to the the above 2 SSI's.

I am pleased to say the the Business and Regulatory Impact Assessment for the Scottish Rural Development Programme, as referred to in the **Rural Development (Scotland) Regulations 2015 SSI 2015/192**, has now been completed. It can be found at <http://www.gov.scot/Topics/farmingrural/SRDP/DevelopmentofSRDP20142020> and it has also been lodged with the Scottish Parliament Information Centre.

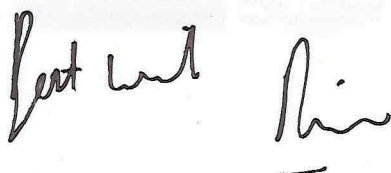
With regard to the **Rural Payments (Appeals) (Scotland) Regulations 2015: SSI 2015/194** the Committee has concerns around resource issues surrounding appeals to the Land Court. The Committee asked what analysis has been undertaken regarding the capacity of the Land Court to deal with any appeals submitted to it and what are the timescales you expect it to work within to hear appeals?

We are in regular contact with the Scottish Land Court (SLC) on both the number of appeals they receive and the progress of those previously submitted under the current Appeals Regulations. At no time has the Land Court raised any concern about their ability to deal with and timeously progress valid appeals that they have received.

The Committee may wish to be aware that in 2010, 136 valid appeals were submitted to the Area Offices of which 61 (45%) were unsuccessful at the first stage of appeal. 7 (11.5%) of these then proceeded to the Land Court. By comparison, in 2014, 213 valid appeals were submitted. Of the 116 (54%) that were unsuccessful at that part of the appeal process, only 3 (1.5%) proceeded to the Scottish Land Court. This shows a significant drop in the number of appeals being heard by the Land Court over 4 years ($7 > 2$).

In relation to the timescales involved in a valid appeal, this is often dependant on how quickly the appellant, or more normally his agent, responds to the various communications they receive from SLC officials. Where there is a fairly quick response, the time taken from the receipt of an appeal to the issuing of the SLC's decision is normally around 6-8 months. Where the appellant's response is slower and in more complex cases, this timing can extend to around 15 months. Around one third of the appeals are withdrawn for various reasons before they proceed to a full hearing.

The Committee may also wish to be aware that one of the other changes in the new Appeals SSI is that an appellant now has 60 days to submit an appeal; previously it was only 30. This implements a Recommendation from the Pack Report.



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